

Applicant : Peter B. Madoff et al.
Serial No. : 09/272,542
Filed : March 19, 1999
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Attorney's Docket No.: 10575-0002001

REMARKS

Applicant thanks the examiner for the opportunity to discuss the Board's decision and to agree on a plan to move the case to issuance.

The examiner acknowledged that subject to clearing up some issues raised by the recent Federal Circuit decision *In re Bilski* that the case was in condition for allowance subject to addressing the claims that were now allowable by the Board.

Although Applicant contended that the claims are proper under *Bilski*, Applicant proposed to add the phrase to "receiving by one or more computer systems" to the first two features of claim 1 and to amend matching to call for matching by one or more computer systems. The examiner appeared agreeable to accepting this language.

This amendment is being made in the interests of moving this case to issuance.

Applicant has made similar amendments to claims 14, 55, 64 and 71.

Applicant has also amended claims 14 and 33 to include the feature of allowable claim 35 and has canceled claim 35. Applicant has amended claim 64 to overcome the rejection under 35 U.S.C. 101, which was sustained. Claim 64 now calls for "A computer program product residing on a computer readable medium for auctioning securities, the computer program product comprising executable instructions to cause a computer to."

Applicant contends that the case is now in condition for allowance and such action is requested.

No fee is due. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

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